

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE CAPACITORS ANTITRUST
LITIGATION

MDL Case No. [3:17-md-02801-JD](#)

Case No. 14-cv-03264-JD

PROPOSED VERDICT FORM

The Court proposes to use this verdict form for the direct purchaser class jury trial. Any objections or concerns may be raised in court on December 13, 2021.

IT IS SO ORDERED.

Dated: December 10, 2021


JAMES DONATO
United States District Judge

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VERDICT FORM

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous.

We, the jury, unanimously agree to the answers to the following questions submitted to us, and we return them as our verdict in this case:

Question No. 1:

Did the Direct Purchaser Plaintiffs prove, by a preponderance of the evidence and in accordance with the instructions given to you, that defendant Nippon Chemi-Con Corporation (NCC) knowingly participated in a conspiracy to fix, raise, maintain, or stabilize the prices of aluminum, film and/or tantalum capacitors?

YES NO

1 **Question No. 2:**

2 Did the Direct Purchaser Plaintiffs prove, by a preponderance of the evidence and in accordance
3 with the instructions given to you, that defendant United Chemi-Con Inc. (UCC) knowingly
4 participated in a conspiracy to fix, raise, maintain, or stabilize the prices of aluminum, film and/or
5 tantalum capacitors?

6 ____ YES ____ NO

7
8 **If you answered “Yes” to either Question 1 or Question 2, then continue to Question 3. If
9 you answered “No” to both Question 1 and Question 2, then do not answer any other
questions; go to the end of the form.**

10
11 **Question No. 3:**

12 Did the Direct Purchaser Plaintiffs prove, by a preponderance of the evidence and in accordance
13 with the instructions given to you, that they paid more for aluminum, film and/or tantalum
14 capacitors in the United States than they would have without the conspiracy?

15
16 ____ YES ____ NO

17
18 **If you answer “Yes,” then continue to Question 4. If you answer “No,” then do not answer
19 any other questions; go to the end of the form.**

20
21 **Question No. 4:**

22 What is the amount of damages the Direct Purchaser Plaintiffs proved, by a preponderance of the
23 evidence and in accordance with the instructions given to you, that they are entitled to recover?

24
25 \$ _____

1
2 You have now reached the end of the verdict form and should review it to ensure it accurately
3 reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict
4 form in the spaces below and notify the courtroom deputy that you have reached a verdict. The
Presiding Juror should retain possession of the verdict form and bring it when the jury is brought
back into the courtroom.

5
6 DATED: _____ Signed:
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Presiding Juror